

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION**

DAVID A. STEBBINS

PLAINTIFF

v.

NO. 3:17-CV-3092-TLB

**STATE OF ARKANSAS, ARKANSAS
REHABILITATION SERVICES, AND
AMY JONES**

DEFENDANT

**DEFENDANTS' RESPONSE IN OPPOSITION TO PLAINTIFF'S THIRD
MOTION FOR SUMMARY JUDGMENT ON HIS TITLE II
DISCRIMINATION CLAIM (D.E. 123)**

Come now the Defendants, the State of Arkansas, Arkansas Rehabilitation Services ("ARS"), and Amy Jones, by and through their attorneys, Attorney General Leslie Rutledge and Senior Assistant Attorney General Christine A. Cryer, and for their Response in Opposition to Plaintiff's Third (redundant) Motion for Summary Judgment, state as follows:

1. Defendants admit this is Stebbins' third Motion for Summary Judgment; however, deny there are any "new" grounds for summary judgment, or that they are in any way "completely independent" from his previous two motions, as alleged in paragraph 1 of the motion.

2. Defendants admit that Stebbins has requested the same relief in all three Motions for Summary Judgment, as alleged in paragraph 2 of the motion.

3. Defendants deny the allegations, as stated, in paragraph 3 of the motion.

4. Defendants admit this third motion only pertains to Stebbins' Title II disability discrimination claim and not the other claims, as stated in paragraph 4 of the motion.

5. Defendants deny the allegations stated in paragraphs 5, 6, 7, 8, 9, 10, 11, 12, and 13 of the motion.

6. Defendants admit Stebbins attached to his third motion 14 exhibits, as alleged in paragraph 14 of his third motion.

7. Defendants admit Stebbins filed a third motion as well as a statement of facts with his third motion, as alleged in paragraph 15 of his motion.

8. Defendants deny Stebbins is entitled to any of the relief sought in paragraph 16 of his third motion.

WHEREFORE, Defendants respectfully request this Court deny Plaintiff's third redundant motion, and for any and all other just and proper relief to which they may be granted.

Respectfully submitted,

Leslie Rutledge
Attorney General

By: /s/ Christine A. Cryer
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CERTIFICATE OF SERVICE

I, Christine A. Cryer, Senior Assistant Attorney General, do hereby certify that on January 16, 2018, I emailed a copy of the motion to Plaintiff David Stebbins as the following email address:

stebbinsd@yahoo.com

A copy is being emailed to Mr. Stebbins because the Office of the Arkansas Attorney General is closed today and the mail will not be picked up today.

I, Christine A. Cryer, Senior Assistant Attorney General, do hereby certify that a copy of this pleading will be mailed, via regular U.S. mail, to Mr. Stebbins at the below address on January 17, 2018.

Mr. David Stebbins
123 W. Ridge St., Apt. D
Harrison, Arkansas 72601

/s/ Christine A. Cryer _____